

**DEPARTMENT OF FINANCE BILL ANALYSIS**

**AMENDMENT DATE:** June 17, 2010  
**POSITION:** Neutral

**BILL NUMBER:** SB 586  
**AUTHOR:** L. Yee

**BILL SUMMARY: Restitution Fines**

This bill would increase the minimum restitution fine imposed for misdemeanors and felonies, as specified.

**FISCAL SUMMARY**

The Victims Compensation and Government Claims Board (Board) estimates that the increase in the minimum penalty for a felony conviction from \$200 to \$300 could increase annual revenues by approximately \$7 to 10 million per year. However, due to the timeframe from imposition to collection for felony fines, the full revenue increase may not be realized until 2014.

The Restitution Fund currently has a structural imbalance and the fund is projected to be insolvent in 2011-12. These additional revenues will partially address this imbalance. However, it should be noted that additional increases in revenues or decreases in program expenditures may be necessary to support this program at the current funding level.

**COMMENTS**

This bill is similar to proposed legislation, SCSA 10-03.

Existing law requires the court, in every case in which a person is convicted of a crime, to impose a separate and additional restitution fine, with few specified exceptions. These fines are deposited into the state Restitution Fund and are used by the Board to administer the Victim Compensation Program. This program provides compensation to victims of violent crime for items such as medical services, mental health services, income loss, and funeral expenses.

This bill would increase the minimum restitution fine imposed by the court for the conviction of a misdemeanor from \$100 to \$150. The minimum fine for a felony conviction would increase from \$200 to \$300. These fines were last increased in 1994 and 1992, respectively. This increase is necessary to maintain the solvency of the Restitution Fund.

Code/Department Agency or Revenue Type	SO	(Fiscal Impact by Fiscal Year)								Fund Code
	LA	(Dollars in Thousands)								
	CO	PROP								
	RV	98	FC	2010-2011	FC	2011-2012	FC	2012-2013		
1308/PenIt Felony	RV	No		--	U	\$3,500 - 5,000	U	\$7,000 - 10,000	0214	
<u>Fund Code</u>	<u>Title</u>									
0214	Restitution Fund									

Analyst/Principal (0240)	Date	Assistant Program Budget Manager	Date
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Department Deputy Director	Date
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Governor's Office:	By:	Date:	Position Approved _____
			Position Disapproved _____

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